

Remarks

I. Status of the Application and Claims

At the time that the present Office Action was mailed, the claims pending in the present application were claims 41-60. In the present response, all of these claims were cancelled and new claims 61-80 were introduced.

II. The Amendments

Claim 61 is essentially cancelled claim 59 with the limitations of claim 41 read into it. Claims 62-75 are directly or indirectly dependent on claim 61 and are supported by other claims that have been cancelled.

Claim 76 corresponds to cancelled claim 58. Claims 77-80 are dependent on claim 76 and are also supported by claims that have been cancelled.

The amendments made herein do not add new matter to the application and their entry is respectfully requested.

The Rejections

I. Double Patenting Rejections

In items 4-18 of the Office Action, all claims are provisionally rejected on non-statutory double patenting grounds based upon applications 10/544,041 and 11/368,602. Since this is a provisional double patenting rejection, Applicants would like to defer consideration until such time as the claims are otherwise allowable. Further prosecution in the relevant cases could potentially obviate the rejection.

Nevertheless, Applicants would like to bring to the attention of the Examiner that claims 22-25 in copending application 11/368,602 have been cancelled as can be verified on the relevant PAIR page. In light of this, Applicants are requesting that the Examiner reconsider whether the rejections based on the '602 application should be maintained. In this same regard, Applicants would like to point out that the '602 application was filed on March 7, 2006, claiming priority to a US provisional application filed on August 5, 2005 and a German application filed on March 9, 2005. In contrast, the present application has an

effective US filing date of February 18, 2005 (national stage of PCT/EP05/001689) and claims priority to a German application filed on March 4, 2004. A certified translation of this priority application has already been filed by Applicants.

II. Rejection of Claims Under 35 USC §103 Based on JP 2003-246132

On pages 6-7 of the Office Action, claims 41-48 and 53-60 are rejected under 35 USC §103 as being obvious in light of JP 2003-246132. The Examiner alleges that this reference discloses all of the elements of Applicants' compositions except for the amount of metal oxide present. In addition the Examiner suggests that micas are crystals made up of metal oxides having several different metals, as well as oxygen and hydroxide molecules. The Examiner takes the position that micas are therefore metal oxides that have been doped with hydroxide ions. The other elements recited in Applicants claims are then alleged to be present or obvious in light of the cited reference.

Applicants respectfully traverse this rejection.

First, Applicants submit that claims 68-75 and 77-80 contain the limitations of cancelled claims 50-52. Since the latter were not included in the rejection based upon the '132 reference, Applicants submit that the rejection has been overcome for these claims, *i.e.*, claims 68-75 and 77-80.

In addition, claims 61-75 are directed to a process for welding plastic molded bodies or plastic semifinished products by irradiating a join face with laser light, where at least one of the parts being joined is a high-transparency plastic material. Applicants have not been able to identify anything in the cited reference that suggests such a method. The only passage that the Examiner cites in this regard, paragraph 10, is concerned with a process that does not appear to be remotely like the one claimed. Paragraph 10 appears to be a method for inscribing a single piece of plastic and not a method for welding different pieces together.

Applicants' claim 76, requires the mixing of nanoscale laser sensitive metal oxides and/or said nanoscale laser-sensitive doped metal oxides with a plastic matrix under conditions of high shear. According to the specification, this means that enough shear force must be applied to break down metal oxides into individual particles and effectively prevent

any aggregation of particles. For example page 12 of the application, first full paragraph, reads in relevant part:

It is advantageous if the incorporation of the nanoscale laser-sensitive metal oxides into the plastic matrix is performed with high shear in the plastic matrix. This may be performed through appropriate setting of the mixers, roller mills, and extruders. In this way, any possible agglomeration or aggregation of the nanoscale metal oxide particles into larger units may be effectively prevented; any existing larger particles are broken down.

There is no indication in the '132 reference that mixing of compositions occurs under these conditions. The only thing pointed to by the Examiner in this regard is that, in paragraph 12, the reference indicates that kneaders are present during the mixing of compositions. This suggests a method by which mixing is achieved but says nothing about the amount of shear that the kneaders generate. In light of this, Applicants submit that high shear, as this term is used in the present claims is not suggested by the reference.

Finally, Applicants respectfully request some type of reasonable support for the Examiner's assertion that mica is a doped metal oxide. Doping in chemistry usually involves the introduction of an impurity into a pure compound of some type. It appears to Applicants that micas are not pure metal oxides but rather an impure mixture. It is not clear to Applicants how introducing impurities to such a mixture could constitute the doping of a metal oxide.

III. Rejection of Claims Under 35 USC §103 Based on WO 02/060988

On page 8 of the Office Action, the Examiner makes rejections based primarily on WO 02/060988. Claims 41-43, 48-52 and 58 are rejected using the '988 reference in combination with a screenshot of the Sigma Aldrich website. Later, the Examiner cites Murase, *et al.* (US 5,445,871); Radzwill (US 4,177,099); Smith, *et al.* (US 5,629,404); and Kawase, *et al.* (US 2004/0209031) in rejecting claims 44-47 and 53-56.

In response, Applicants would like to point out that neither of the rejections set forth on page 8 include claim 58 or 59. Since amended claims 61-75 are based on claim 59 and claims 76-80 are based on claim 58, Applicants submit that the present rejection of claims has been overcome.

Conclusion

In light of the considerations above, Applicants respectfully request that the Examiner reconsider and withdraw the rejections that have been made. If, in the opinion of the Examiner, a phone call may help to expedite the prosecution of this application, the Examiner is invited to call Applicants' undersigned attorney at (240)683-6165.

Respectfully submitted,

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